

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

LARRY THOMAS MEARS,

Plaintiff,

v.

Civil Action No. 3:15CV418

DR. ABDUL JAMALUDEEN, et al.,

Defendants.

MEMORANDUM OPINION

Larry Thomas Mears, a Virginia inmate proceeding pro se and in forma pauperis filed this 42 U.S.C. § 1983 action. Under Federal Rule of Civil Procedure 4(m),<sup>1</sup> Mears had 90 days to serve the Defendants. Here, that period commenced on March 8, 2016. More than 90 days elapsed and Mears had not served the Defendants. Accordingly, by Memorandum Order entered on June 21, 2016, the Court directed Mears, within eleven (11) days of the date of entry thereof, to show good cause for his failure to serve the Defendants. More than eleven (11) days have expired

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<sup>1</sup> Rule 4(m) provides, in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).

and Mears has failed to respond to the Court's Memorandum Order. Because Mears has failed to establish good cause for his failure to serve the Defendants, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of the Memorandum Opinion to Mears.

It is so ORDERED.

Date: *July 19, 2016*  
Richmond, Virginia

/s/ REP  
Robert E. Payne  
Senior United States District Judge